

**RECOMMENDING COMMITTEE AGENDA**  
**RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 2, 2004**

**- CALL TO ORDER**

**MINUTES:**

PRESENT: COUNCILWOMAN MONCRIEF and COUNCILMAN WOLFSON

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

**- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW**

**MINUTES:**

ANNOUNCEMENT MADE - meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:05)

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**AGENDA SUMMARY PAGE**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

NEW BILL:

Bill No. 2004-69 - ABEYANCE ITEM - Establishes new solid waste and recycling regulations. Proposed by: Mark R. Vincent, Director of Finance and Business Services

**Fiscal Impact:**

☒

No Impact

**Amount:**

☐

Budget Funds Available

**Dept./Division:**

☐

Augmentation Required

**Funding Source:**

**PURPOSE/BACKGROUND:**

The City's current solid waste code provisions were enacted more than fifty years ago and do not take into account many contemporary industry standards and practices as well as current state and federal regulatory provisions. Solid waste issues transcend the boundaries of the City and other local jurisdictions within the County metropolitan areas, each contracting with Republic Services, Inc. to perform solid waste collection and disposal services. Accordingly, this bill is modeled after recent changes made in the County code in order to achieve regulatory uniformity. This bill specifically designates the items included within the solid waste stream, hazardous waste stream, medical waste stream, and recyclable materials stream for regulatory purposes; restricts hours of solid waste collection in residential areas; and conditionally waives collection fees for absentee residents.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2004-69
2. Proposed First Amendment

**MOTION:**

**COUNCILMAN WOLFSON recommended Bill 2004-69 be forwarded as a First Amendment to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN MONCRIEF concurred.**

**MINUTES:**

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, said that since this matter first appeared on the Recommending Committee agenda, he met twice with representatives of Republic Services. Discussions at those meetings resulted in a Proposed First Amendment, a copy of which is included in the backup. The current 50-year ordinance needed updating. A lot of the changes are in line with the County's recycling ordinance, which was updated in 1996. He then outlined the proposed changes, principally adding definitions for the followings: hazardous waste, medical waste, sewage waste, recycling, gross revenue to gross cash receipts.

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**MINUTES - Continued:**

A late penalty fee was also added, which is included in most of the other franchise ordinances. A provision on customer service standards was added to Section 33 requiring the franchisee to record and respond to complaints within 48 hours. If the complaint cannot be resolved, a written report must be provided to the City as to the issues and why the complaint could not be resolved. If the City is not satisfied, the Director of Finance will have the ability to direct the franchisee to resolve the complaint in a manner acceptable to the City. Included in Section 34 is new language regarding a telephone answering system and language allowing the City to establish reasonable minimum performance standards.

Under discontinuation of service, which has been a very difficult issue, a provision was added making the discontinuation of water service the trigger for discontinuation of solid waste and recycling services. Republic Services will be allowed to charge a \$15 processing fee for discontinuation of services, with no reactivation fee. Rates have also been added for rental of containers for medical and sewage waste.

As far as sewage waste service, the fees will escalate according to CPIU, as all other rates, but the franchisee shall be solely responsible for franchise fees and cannot pass these on to the City. This has been an issue, because the sewage, although collected from the Las Vegas hookups, eventually goes to the plant located in Clark County. The County has no interest in attaching a franchise fee onto revenues collected for processing the City's waste. In the event the County should reconsider, the City would be indemnified against such a fee structure.

ROBERT GROSSBECK, 5820 South Pecos Road, appeared on behalf of Republic Services, accompanied by ROBERT COIL, President of the Southern Nevada operation, and JENNIFER SIMICH, Director of Government Relations. MR. GROSSBECK concurred with the changes MR. VINCENT outlined.

COUNCILWOMAN MONCRIEF asked if the section regarding medical waste is more of a clean up in terminology or if it changes the rules on removal of medical waste. MR. VINCENT answered that it is more of a clean up on terminology. There was a legal case in Clark County that addressed this issue, and this is one of the definitions the court directed be cleaned up in the ordinance. MR. GROSSBECK concurred. He added that 50 years ago, when this ordinance was drafted, nobody thought about medical waste being separated from solid waste. The language in the proposed ordinance incorporates all the recent changes in federal regulations.

COUNCILMAN WOLFSON confirmed with MR. VINCENT that no immediate subsequent amendments are intended and that he worked closely with Republic Services on the proposed amendments.

MR. COIL expressed his appreciation to City staff for its efforts and cooperation on these changes.

No one appeared in opposition.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:05 - 4:13)

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

**NEW BILL:**

Bill No. 2004-70 - Annexation No. ANX-4957 – Property location: On the north side of Ann Road, east and west of Mustang Road (aka Mustang Street); Petitioned by: Matrix Development Corporation, et al.; Acreage: 10.69 acres; Zoned: R-E (County zoning), U (R) and U (RE) (City equivalents). Sponsored by: Councilman Michael Mack

**Fiscal Impact:**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the north side of Ann Road, east and west of Mustang Road (aka Mustang Street). The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (November 3, 2004) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2004-70 and Location Map

**MOTION:**

**COUNCILMAN WOLFSON recommended Bill 2004-70 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN MONCRIEF concurred.**

**MINUTES:**

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

DEPUTY CITY ATTORNEY STEED indicated that this matter involves a relatively straightforward annexation. He recommended approval.

No one appeared in opposition.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:13 - 4:15)

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CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

**MINUTES:**

None.

(4:15)

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THE MEETING ADJOURNED AT 4:15 P.M.

Respectfully submitted:

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GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK

November 9, 2004